

# UNDERHILL PLANNING COMMISSION

Thursday, August 17, 2017 6:30 PM

## Minutes

**Planning Commissioners Present:** Chair Cynthia Seybolt, David Edson, Catherine Kearns, Carolyn Gregson, David Glidden, Pat Lamphere, Andrea Phillips, Johnathan Drew

**Staff/Municipal Representatives Present:** Andrew Strniste, Planning Director

**Others Present:** None

[6:25] The Planning Commission convened at Underhill Town Hall at 6:25pm.

[6:28] Chair C. Seybolt called the meeting to order.

[6:29] No public comments were provided. Chair C. Seybolt asked for a motion to approve the minutes of August 3, 2017. **Commissioner Edson made a motion to approve the minutes of August 3, 2017**, which was seconded by Commissioner Drew. **The motion passed unanimously.**

[6:31] The Commission reviewed the proposed language changes by Commissioner Edson and Commissioner John. **Commissioner Kearns made a motion to approve the language provided by Commissioner John at the previous meeting pertaining to the new Section 4.15.D.3.** Commissioner Glidden seconded the motion. **The motion was passed unanimously.**

[6:33] Commissioner Edson provided proposed changes regarding lot area including the center of the road unless there was a deeded road for planning purposes, as well as proposing regulations to address nonconforming structures. Both issues were tabled for future discussion.

[6:45] In response to comments provided by the Development Review Board at the previous meeting, Chair C. Seybolt proposed reopening the discussion about the owner occupancy requirement for detached accessory dwellings. After no objection, she voiced her opinion that the comments from the Development Review Board, language from the Town Plan, and observing the numerous accessory structures in Town, that she felt that eliminating the owner occupancy requirement would not be ideal, and that some sort of limitation on the amount of time both dwelling units could be rented out would suffice as some sort of compromise. Commissioner Gregson rebutted by stating that she did not envision investors would exploit the nonowner occupancy regulation, and that she was skeptical that other communities have visited this topic, which is why a lot of municipalities still retain the owner occupancy regulation. Commissioner Drew advised he was on the fence; however, vocalized support for the compromise approach offered by Chair C. Seybolt. Commissioner Kearns advised she was opposed to changing what was proposed as she believed the issue is a "Not In My Backyard" (NIMBY) issue. She continued to suggest that getting rid of the owner occupancy requirement could help with the financial crisis that is occurring. Commissioner Edson agreed with Commissioner Kearns about the owner occupancy requirement. Commissioner Glidden agreed with the compromise approach, and recommended Richmond's regulation as a model. Additionally, he stated that he had reservations about presenting the amendment to the public if the project as a whole would be voted down as a result of this amendment. Commissioner Phillips agreed with Commissioner Glidden and was more comfortable with the compromise approach. Commissioner Lamphere stated he would be open to some sort of compromise that provided exceptions for legal agents. Staff Member Strniste provided counter arguments for why the owner occupancy requirement should remain, and suggested that the Richmond regulation was a good compromise. Chair C. Seybolt asked for a motion to rescind the original vote approving the elimination of the owner occupancy

requirement for detached accessory dwellings. The motion was not made and the Planning Commission will move forward with the proposed amendments as presented.

[7:11] Commissioner Drew advised that the Commission will need to be direct and up front with the public, and that their role should be to listen. Commissioner Gregson informed the Commission that the discussion on this issue has been productive as the Commission now has alternative options in case there is a lot of push back.

[7:13] The Commission agreed that a note should be provided to the Development Review Board informing them that they reconsidered the issue. Chair Seybolt will do so. Staff Member Strniste informed the Commission about the report that was written on their behalf to send to the neighboring municipalities. He informed the Commission that times, dates and locations needed to be selected for the public hearings. The Commission agreed to the following:

- October 5, 2017 @ 6:30 PM, Underhill Town Hall, 12 Pleasant Valley Road
- October 7, 2017 @ 10:00 AM, Deborah Rawson Memorial Library, 8 River Road, Jericho, VT (Pending approval from the Library)
- October 12, 2017 @ 6:30 PM, Underhill Town Hall, 12 Pleasant Valley Road

Staff Member Strniste asked the Commission to review the report and synopsis and provide him feedback regarding any grammatical errors, typos, or technical errors. The report and synopsis are to be voted on at the next meeting, September 7, 2017.

[7:27] Commissioner Glidden provided an overview of the PowerPoint he assembled to present to the public. Chair C. Seybolt advised that the Commission should be prepared to discuss the smaller items; however, not necessarily include them in the PowerPoint in order to limit the length of the presentation. Commissioners Seybolt and Phillips advised that the presentation should not exceed 20 minutes. Commissioner Kearns recommended that comments should be at the end of the presentation. Chair C. Seybolt provided an overview of what she plans to publish on Front Porch Forum. The Commission recommended changes. Commissioner Glidden suggested that posts on Front Porch Forum informing the public about the public hearings should be rotated between the different Commissioners. Chair C. Seybolt suggested that the Commissioners should inform the public through word of mouth. She then advised the Commission that they should drive around the new zoning district so they are familiar with the district's layout.

[7:45] Staff Member Strniste advised the Commission of a tweak he made to the new Table 4.3 regarding detached accessory dwellings and how he had to update the section to comply with the State statute. He also advised that the Town Plan stated that the Commission must consider an enumerated purpose definition for the new Underhill Center Village District. The Commission considered the definition in the Town Plan and opted to use the purpose definition they drafted themselves.

[7:50] Staff Member Strniste advised the Commission of their role in the Capital Improvement Plan process and what their responsibilities are in the coming months.

[7:59] No other business was provided.

[8:01] **Commissioner Drew made a motion to adjourn.** Commissioner Phillips seconded the motion, which was **passed unanimously.**

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Respectfully Submitted By:

Andrew Strniste, Planning Director

The minutes of the August 17, 2017 meeting were accepted this 21<sup>st</sup> day of September, 2017.

  
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Cynthia Seybolt, Planning Commission Chair